

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JUEVNAD GUEVARA, #1907012 §

VS. § CIVIL ACTION NO. 6:16cv47

TDCJ MICHAEL UNIT & STAFF MEMBERS, §  
ET AL.

ORDER OF DISMISSAL

Plaintiff Juevnad Guevara, an inmate previously confined at the Michael Unit of the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation (docket entry #24) concluding that the case should be dismissed without prejudice for want of prosecution and failure to obey an order because Plaintiff failed to comply with an order to pay an initial partial filing fee of \$5.06.

Plaintiff has filed objections (docket entry #25). He explained that he has been trying to get the Trust Fund Department to send the initial partial filing fee to the Court, but he has been experiencing some difficulties. On June 14, 2016, Plaintiff was given an extension of time of July 1, 2016 to pay the initial partial filing fee. As of today, however, the initial partial filing fee still has not been received by the Court. Moreover, the Court has not received any other correspondence from Plaintiff.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and that Plaintiff's objections lack

merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Report and Recommendation (docket entry #24) is **ADOPTED**. It is also

**ORDERED** that the civil rights complaint is **DISMISSED** without prejudice for want of prosecution and failure to obey an order. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. It is finally

**ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**It is SO ORDERED.**

**SIGNED** this 8th day of July, 2016.



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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE